

SYN. NO. _____

AGN. NO. _____

MOTION BY SUPERVISOR ZEV YAROSLAVSKY

March 1, 2005

The United States Supreme Court has ruled in the case of Johnson v. California that the California Department of Correction's unwritten policy of racially segregating inmates during their initial 60 days of being transferred to a new correction facility may be unconstitutional. The Court directed that the legality of this policy must be reviewed using the strict scrutiny test of the equal protection clause.

In light of the above decision, the Sheriff's Department and County Counsel have analyzed the Sheriff's policies relating to placement of inmates within the Los Angeles County jail system to determine if they are constitutionally sound, or whether they should be changed. It is important for our communities to understand the nature of the current policies and how they may be affected by this ruling.

I, THEREFORE, MOVE that the Board request the Sheriff's Department and County Counsel to make an oral presentation to this Board describing the current methods of inmate placement within the jail system and whether the recent case of Johnson v. California will necessitate a change in these policies.

JC I:\Race & Jails

MOTION

BURKE _____

YAROSLAVSKY _____

KNABE _____

ANTONOVICH _____

MOLINA _____